

Official Draft Public Notice Version **August 21, 2026**

The findings, determinations, and assertions contained in this document are not final and subject to change following the public comment period.

**STATE OF UTAH
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER QUALITY
SALT LAKE CITY, UTAH**

DRAFT Operator Certification Approval No. UTGSL-OCD-001
Great Salt Lake Mineral Extraction Facility

Pursuant to Utah Code § 65A-6-4 and Utah Admin. Code R317-16, the Director of the Division of Water Quality (Director) hereby issues this Operator Certification Approval, subject to the conditions outlined in this permit order and Utah Admin. Code R317-16, to:

Operator: Waterleaf Phase I, LLC

Facility: Great Salt Lake Lithium Project Commercial Plant

Location: Western Slope Promontory Mountains
Unincorporated Box Elder County
Discharge location: latitude 41° 26' 44.47", longitude 112° 42' 25.25"

Effective Date:

Expiration Date: (10 years from Effective Date)

Signed this **XX**th day of Month, 20XX.

Candice A. Hasenyager, P.E.
Director

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I. Sampling and Analysis Plan, Monitoring, and Reporting

A. Sampling and Analysis Plan: Within 60 calendar days from the Effective Date of this Operator Certification Approval, Waterleaf shall submit to the Division for approval, a Sampling and Analysis Plan (SAP) outlining Waterleaf's proposal to complete all monitoring and reporting required by this Operator Certification Approval, and by Waterleaf's Utah Pollutant Discharge Elimination System (UPDES) Permit No. UT0026352. The SAP shall, at a minimum, include the following:

1. Introduction and geographic information;
2. Objectives and design of the investigation;
3. Special precautions and safety plan;
4. Field sampling methods and documentation;
5. Laboratory sample handling procedures;
6. Analytical methods and laboratory documentation;
7. Project quality control requirements;
8. Data analysis, record keeping, and reporting requirements;
9. Sampling and reporting schedule; and
10. Project team and responsibilities.

B. Biological Monitoring: Upon commencement of discharge, Waterleaf shall conduct quarterly biological monitoring, in accordance with its approved SAP.

C. Reporting: Waterleaf shall submit the following reports:

1. *Biological Monitoring Report*: Within 5 business days of receipt of each quarterly Biological Monitoring Report, Waterleaf shall forward that Biological Monitoring Report to the Division.
2. *Chemical Monitoring Semiannual Data Summaries*:
 - a. In addition to the monthly NetDMR reporting required by Waterleaf's UPDES Permit No. UT0026352, Waterleaf shall submit a Semiannual Data Summary to the Division, within 60 calendar days of completion of each 6 months of monitoring.
 - b. Each Semiannual Data Summary shall include: 1) flow volume; 2) detailed comparisons of influent and effluent concentrations for all parameters required to be sampled in Waterleaf's UPDES Permit No. UT0026352; and 3) loading for all parameters required to be sampled in Waterleaf's UPDES Permit No. UT0026352. The Summary shall provide all data in electronic data deliverable (EDD) format.
 - i. These comparisons shall describe both the discrete 6 month data set, as well as the cumulative data gathered up to the date of the Semiannual Data Summary. For example, the first Summary will

detail data gathered during the first 6 months. The second Summary will detail data gathered during: 1) the second 6 months; and 2) the first 12 months. The third Summary will detail data gathered during: 1) the third 6 months; and 2) the first 18 months, etc.

- c. Following review of any Semiannual Data Summary, the Director may notify Waterleaf, in writing, of any additional information, data, or comparisons the Director requires, together with the date that Waterleaf must provide the information, data or comparisons.
3. *Eighteen-Month Report*: Within 90 days of completion of 18 months of operation, Waterleaf shall submit an 18-Month Report to the Division, and every 18 months thereafter. The 18-Month Report shall include:
- a. Detailed comparisons of influent and effluent concentrations for all parameters required to be sampled in Waterleaf's UPDES Permit No. UT0026352;
 - b. Flow volume;
 - c. Loading, for all parameters required to be sampled in Waterleaf's UPDES Permit No. UT0026352;
 - d. Rationale for any net increase of any parameter;
 - e. An assessment of the quarterly biological monitoring results; and
 - f. Ongoing demonstration of no negative impacts to Great Salt Lake (GSL).
4. *Operational Adjustment Plan*: If, at any time, the Director determines that Waterleaf's operations are, or may be, negatively impacting the biota or chemistry of GSL, the Director will notify Waterleaf of this determination, in writing. Upon receipt of this notification, within 30 calendar days, Waterleaf shall submit an Operational Adjustment Plan for Director approval. Following Director approval, Waterleaf shall implement the Operational Adjustment Plan. The Operational Adjustment Plan shall include:
- a. A complete evaluation of the process(es) that cause or contribute, or may cause or contribute, to the negative impact(s);
 - b. All supporting process and effluent data associated with the impact(s);
 - c. A detailed description of proposed operational adjustment, and the anticipated improvement of effluent concentrations or biological conditions; and
 - d. A Monitoring and Evaluation Plan for the proposed operational adjustment, including internal operational testing.
5. *Request to Modify this Operator Certification Approval*: Following submission of the first 18-Month Report, Waterleaf may request modification of this Operator Certification Approval to terminate the monitoring and reporting

requirements detailed in this Section. Any request shall be made in writing, and shall contain an explanation and justification as to why the termination of the requirements is appropriate, justifiable, and will not negatively impact GSL.

6. *Submission of Reports:* Waterleaf shall submit all Biological Monitoring Reports, Chemical Monitoring Semiannual Data Summaries, 18-Month Reports, and any other data required by the Director to be submitted, to the Division's electronic document submission portal at: <https://deq.utah.gov/dwg/wq-electronic-submissions>.

II. Reevaluation of Operator Certification Approval

- A. Director Notification: Pursuant to Utah Admin. Code R317-16-9, if any of the following occur, the Director may notify Waterleaf that it must resubmit, within 60 days, an Application for Operator Certification Approval for reevaluation:
 1. Waterleaf's failure to fully disclose all relevant facts in the application;
 2. Waterleaf's misrepresentation of any relevant fact at any time;
 3. existence of evidence that the operation is negatively impacting the biota or chemistry of GSL;
 4. request for a major modification of Waterleaf's UPDES permit as defined by Utah Admin. Code R317-8-5(5.6);
 5. lapse of the operator's certification approval; or
 6. the emergency trigger, as defined in Utah Code § 65A-17-101(5).
- B. Reevaluation Procedures: The reevaluation will follow all procedures specified in Utah Admin. Code R317-16.

III. General Requirements

- A. Duty to Reapply: No later than 180 days before the expiration of this Operator Certification Approval, Waterleaf shall submit an Application for Operator Certification Approval, that meets all requirements of Utah Admin. Code R317-16, to renew its Operator Certification Approval.
- B. Other Permits: This Operator Certification Approval does not exempt Waterleaf from complying with, or obtaining, any other permits required by federal, state, or local law.
- C. Discharge Approval: This Operator Certification Decision does not authorize any discharge. A separate UPDES Permit is required to discharge to waters of the state.
- D. FFSL Approval: This Operator Certification Decision does not constitute or imply approval of any activities that require the approval of the Division of Forestry, Fire and State Lands.